

F. MATTHEW SMITH
Law Office of F. Matthew Smith, LLC
2nd Floor, UIU Building
P.O. Box 501127
San Jose, Saipan, MP 96950
Telephone No.: (670) 234-7455/234-7427
Facsimile No.: (670) 234-7256

Attorney for Plaintiff.

FILED
Clerk
District Court

MAY 25 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

**IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS**

SAIPAN HANDICRAFT,]	Civil Action No. 05-0040
]	
Plaintiff,]	OPPOSITION TO WORDING
vs.]	OF PROPOSED ORDER
]	
MICRONESIA WOODCRAFT ENT., INC., et al.,]	
]	
Defendants.]	Date: _____
]	Time: _____
_____]	Judge: Hon. Alex R. Munson

Plaintiff Saipan Handicraft objects to the wording of proposed order as follows:

1. The introductory clause of the second paragraph does not accurately reflect the record or basis for the court's extension of the order to the appearing Defendants. On May 19, 2006, this Court did not state, nor did the parties confirm on the record, that there was "no objection" to the extension of the first preliminary injunction order.

2. The second paragraph (lines 20-23) should instead read as follows:

This Court's Order of January 17, 2006, which granted in part and denied in part Plaintiff's first motion for a preliminary injunction, is extended to the appearing Defendants.

3. Further, the instant motion was not "identical" (see first sentence of third paragraph; line 25) to the earlier injunction as the instant motion specifically delineated the trade dress features for which it sought protection. This is different from the first injunction motion.

4. If the word "identical" was changed to "similar" in the third paragraph; and the introductory clause in the second paragraph was deleted, Plaintiff would sign and approve the order

as to form.

Respectfully submitted this 5-24-06.


F. MATTHEW SMITH
Attorney for Plaintiff